

February 22, 2013

To: Executive Board

Subject: **Revised Foothill Transit Records Retention and Destruction Policy**

Recommendation

Adopt the Revised Foothill Transit Records Retention and Destruction Policy and Records Retention Schedule.

Analysis

Foothill Transit's more current records are located at the West Covina administrative offices, with significantly older records stored at Foothill Transit's warehouse in Arcadia and at the agency's Pomona operations and maintenance facility. These locations are not ideal and a number of records can possibly be destroyed subject to the agency's board-adopted policy and schedule for records retention and destruction.

At the February 2012 Executive Board Meeting the Board adopted Foothill Transit's first Records Retention and Destruction Policy. At that time it was indicated that the implementation of the policy would be the first step in addressing some of the records management challenges facing the agency. Since approval of the policy last February, Foothill Transit's legal and administrative teams have been working on drafting the retention schedule and making minor changes to the policy.

Attachment A is the redlined draft of the minor revisions to the policy. These revisions consist mostly of refining the policy to prepare for implementation and ensuring that the policy is consistent with the Records Retention Schedule.

Attachment B is the draft Records Retention Schedule. Each department appointed a team member to be their department's records coordinator. Vital records for each department were identified and a retention schedule was applied to each document. An inventory list will also be created for each department.

Once the policy and retention schedule are in place the purging of records located at the storage locations at Foothill Transit's Pomona Operations & Maintenance Facility and Foothill Transit Warehouse located at the Arcadia Operations & Maintenance Facility will begin. This is tentatively scheduled to take place on in spring. The policy and retention schedule will be reviewed on an annual basis. If changes to the policy are necessary, they will be brought to the Executive board for consideration and approval.

Foothill Transit's administrative team also continues to investigate the benefits of implementing an electronic records management system. The team has participated in



Executive Board Meeting – 02/22/13
Revised Foothill Transit Records Retention and Destruction Policy
Page 2

demonstrations of this technology and has learned how this system can be applied to our records management system.

Sincerely,

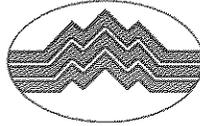
A handwritten signature in black ink, appearing to read 'C. Lopez'.

Christina Lopez
Administrative Services Manager

A handwritten signature in black ink, appearing to read 'D. Barnes'.

Doran J. Barnes
Executive Director

Attachments



Foothill Transit

Records Retention and Destruction Policy

Effective _____, 2013~~2~~

Subject

Retention and destruction of Agency records

Purpose

The purpose of this policy is to provide guidelines to staff regarding the retention or disposal of Agency papers and documents ("records"); provide for the identification, maintenance, safeguarding and disposal of records in the normal course of business; ensure prompt and accurate retrieval of records; and ensure compliance with legal and regulatory requirements.

The Executive Board authorizes the Executive Director to interpret and implement this policy and to cause to be destroyed any and all records that meet the policy specifications. ~~For the purpose of this policy, electronic records, including, but not limited to, email must be analyzed and retained in the same manner and to the same extent as paper records.~~

Policy

1. Records and information management (RIM) is the systematic control of all records, regardless of media, from their creation or receipt, through their processing, distribution, organization, storage, and retrieval to their disposition. Information flows through the organization in the form of paper and electronic records such as word processing documents, spreadsheets, e-mail, graphical images, and voice or data transmissions.

2. This policy details the requirements and responsibilities to initiate a well-defined RIM program. The RIM program applies to those departments that require a long-term records retention, storage, and destruction program.

A. Ensure only essential records of continuing value are preserved. Records should be retained in the active office areas as long as they serve the immediate administrative, legal, or fiscal purpose for which they were created.

B. Establish safeguards against the illegal removal, loss, or destruction of records. Records ~~either should will~~ be disposed of in accordance with an the approved records retention schedule, ~~or transferred to the records retention center until the prescribed retention period has expired.~~

C. Management of records is the responsibility of the owner, or creator, of the record. The department director or the director's designated representative should contact the records manager to discuss initiating a records management program or reviewing an existing records management program to properly handle records from their creation through their destruction. Departments can be provided guidance on how records should be organized and stored to ensure timely and efficient retrieval.

D. The records retention schedule is the key tool for departments to use to manage their records effectively. Information is a valuable asset. However, if records that contain information cannot be retrieved efficiently or are retained beyond their legal, regulatory, or administrative retention period, they lose their value and may impose a liability to the organization.

3. Significant recurring activities initiated by the records manager include:

A. Annual inventory of the records ~~center~~: The records manager will annually inventory all records ~~in the records center~~ to confirm information in the records retention tracking system.

B. Annual review of the records retention schedule: The records manager will have the records retention schedule reviewed and validated annually for accuracy.

C. Annual files purge program: The records manager will advertise and initiate an annual files purge by all departments. The purpose is to have individuals review personal active file systems, as well as electronic document folders, and to purge documents that are no longer required. ~~No original documents are to be destroyed.~~

General Guidelines

1. The Agency shall generally retain all documents in their original form for two-three years unless a shorter duration is specifically authorized by State or Federal regulation or a longer duration is specified in the retention schedule. ~~The Agency's emails are not centrally maintained, and therefore, only specifically designated emails will be retained for the specified duration.~~ The Executive Director may authorize the destruction of any duplicate records, including duplicates less than two years old, if no longer needed.

2. Except where a longer retention period is required, after two-three years, the Agency, with the Executive Director's approval, may destroy any original document, ~~with the Agency retaining a record or copy of these documents.~~

3. Records that pertain to matters that will not be needed for future reference may be disposed of as soon as convenient. For example, preliminary drafts, notes and

memoranda that have been retained for less than 60 days and are no longer needed should be disposed of immediately. All records that are kept for more than 60 days for use or reference by an employee, and that are otherwise exempt, must be treated as a public record.

4. The Agency shall retain original administrative, legal, fiscal and/or historical records with continued value (e.g. records for long-term transactions, pending litigation and/or special projects) until all matters pertaining to such records are completely resolved or the time of or appeal has expired.

5. Except where this policy provides that an original document shall be retained, the Agency may retain records electronically, on microfilm or other media meeting the following requirements:

A. The item must be scanned, photographed, or otherwise reproduced on film or any other medium which does not permit additions, deletions or changes to the original document in compliance with the minimum standards and/or guidelines as recommended by the American National Standards Institute of the Association for Information and Image Management for recording of permanent records or nonpermanent records, whichever applies.

B. The original must be accurately reproduced with all details.

C. The reproductions must be stored in conveniently accessible file, and provision must be made for preserving, examining and using the files.

For the purposes of this policy, every reproduction shall be deemed to be an original record, and a transcript, exemplification, or certified copy of any reproduction will be considered to be that of the original.

Litigation Holds and Other Special Situations

The Agency requires all employees to fully comply with its published records retention schedules and procedures as provided in this policy. All employees should note the following general exception to any stated destruction schedule: If you believe, or Foothill Transit's legal counsel informs you, that the Agency's records are relevant to current litigation, potential litigation (that is, a dispute that could result in litigation), government investigation, audit or other event, you must preserve and not delete, dispose, destroy or change those records, including e-mails, until Foothill Transit's legal counsel determines those records are no longer needed. This exception, usually referred to as a litigation hold or legal hold, replaces any previously or subsequently established destruction schedule for those records. If you believe this exception may apply, or have any question regarding whether it may possibly apply, please contact Foothill Transit's legal counsel.

